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APR 11 2002

In re Application of)
REICHLE)
Application No. 09/508,754)
Filed: March 16, 2000)
Attorney Docket Number: 32066-152531)

DECISION ON PETITION TO
RESET PERIOD FOR REPLY

This is a decision on the petition filed on February 4, 2002, requesting that the period for reply set forth in the Office action mailed on December 5, 2001, be reset to run from the date on which the Office action was actually received at the correspondence address of record.

The petition is **GRANTED**.

Petitioner provided a statement that the Office action in question was received at the correspondence address of record on January 29, 2002. The petition was filed within two weeks of the date of receipt of the Office communication. A substantial portion of the set reply period had elapsed on the date of receipt. Furthermore, the Office communication was mailed between October 13, 2001 and January 2, 2002, when delivery of mail from the Office to certain regions of the country was delayed.

An inspection of the application file indicates that a Notice of Appeal was filed on December 6, 2001. In view of the petition filed on February 4, 2002, it is apparent that applicant intends to file a reply under 37 CFR 1.111 to the December 5, 2001 Office action in lieu of an appeal brief under 37 CFR 1.192. Accordingly, the filing of an appeal brief will be held in abeyance, subject to request for reinstatement of the appeal by applicant.

Accordingly, the period that was originally set forth in the Office action originally mailed on December 5, 2001 is hereby reset to run FROM THE RECEIPT DATE OF January 29, 2002. <

The application file is being forwarded to the Central Files of Technology Center 2800 to await a response to the December 5, 2001 Office action. No fee is required for the petition.

Edward Glick, Special Program Examiner
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